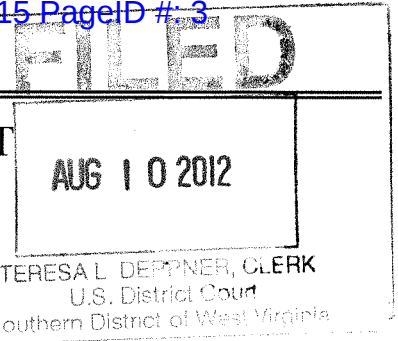


**UNITED STATES DISTRICT COURT**  
for the  
Southern District of West Virginia



United States of America  
v.

Vivek M. Shah, also know as Ray Amin and also  
known as Rohan Gill

Case No. 2:12-mj-00088

*Defendant(s)*

**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 26, 2012 in the county of Kanawha in the  
Southern District of West Virginia, the defendant(s) violated:

*Code Section*

18 U.S.C. § 875(b)

*Offense Description*

Interstate Communications

This criminal complaint is based on these facts:

On or about June 26, 2012, defendant Vivek M. Shah, also known as Ray Amin and also known as Rohan Gill, with the intent to extort from a person a sum of money did knowingly transmit in interstate commerce a communication containing a threat to injure the person of another, including residents of the Southern District of West Virginia, which communication moved through and into Charleston, Kanawha County, and Beckley, Raleigh County and elsewhere within the Southern District of West Virginia. Additional supporting facts are included on Exhibit A attached hereto.

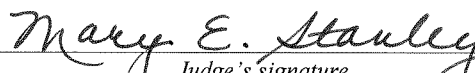
☒ Continued on the attached sheet.

  
*Complainant's signature*

Joshua Mehall, United States Postal Inspector  
*Printed name and title*

Sworn to before me and signed in my presence.

Date: 08/10/2012

  
*Judge's signature*

City and state: Charleston, West Virginia

Mary E. Stanley, United States Magistrate  
*Printed name and title*

AFFIDAVIT

STATE OF WEST VIRGINIA

COUNTY OF KANAWHA, to-wit:

I, Joshua D. Mehall, being first duly sworn, do hereby depose and state as follows:

1. I am a United States Postal Inspector employed with the United States Postal Inspection Service since February 2007. My responsibilities include the investigation of crimes involving the United States Postal Service and crimes furthered through the use of the United States Mail. This includes the investigation of threatening communications sent through the U.S. Mail. I have personally provided affidavits in support of federal search warrants and arrest warrants during the course of my employment as a Postal Inspector.

2. I hereby set forth the following specific and articulable facts showing that there is probable cause that a crime has been committed by Vivek Shah of 7711 Santa Monica Boulevard, West Hollywood, California, currently staying at 236 Woburn Lane, Schaumburg, Illinois, and that a warrant should be issued for his arrest.

**Introduction**

3. The USPIS, along with other law enforcement agencies, is investigating an extortion demand letter mailed to Christopher Cline, the majority owner of Foresight Reserves LP, a coal company. Mr. Cline divides his time between homes in Beckley, West Virginia, located in the Southern District of West Virginia, and North Palm Beach, Florida.

4. On or around June 26, 2012, Mr. Cline received a letter threatening to kill several named members of his family, many of whom are residents of the Southern District of West Virginia, unless he transferred \$13 million to an offshore bank account. The letter stated that wiring instructions for the funds would follow shortly. The letter was a communication

transmitted in interstate commerce with intent to extort money from a person and containing a threat to injure the person of another, in violation of 18 U.S.C § 875.

5. The extortion demand letter to Mr. Cline was mailed through the United States Postal Service (USPS) from Los Angeles, California, to Mr. Cline's home in North Palm Beach, Florida. At the time the letter arrived in Florida, Mr. Cline was residing at his home in Beckley. An employee of Mr. Cline telephoned Mr. Cline in Beckley to notify him of the threat against his family, and the letter was forwarded to the offices of Mr. Cline's attorneys in Charleston, West Virginia, in the Southern District of West Virginia.

6. There is probable cause to believe that the above-described violation of 18 U.S.C. § 875 was committed by Vivek Shah, as explained below.

#### **Summary of Probable Cause**

7. Local law enforcement in West Hollywood, California recently discovered Shah in possession of a fake California driver's license (the "Fake ID") bearing the name Ray Amin. Investigation by law enforcement has revealed that this same Fake ID was used to rent a mailbox in furtherance of the extortion scheme one day before West Hollywood law enforcement observed it in Shah's possession. Moreover, the false name, address, and date of birth shown on the Fake ID have been used numerous times in various ways in furtherance of the Scheme, as further explained below.

8. Shah also has been captured on video recordings making purchases in furtherance of the Scheme. Several prepaid debit cards have been used in furtherance of the Scheme. Law enforcement has obtained security video recordings from stores where three of these cards were purchased. The video recordings show an individual who appears to be Shah purchasing these three cards.

9. The perpetrator of the Scheme is known to have made telephone calls to certain offshore banks as well as to a mailbox rental business in furtherance of the Scheme. Shah's telephone records, obtained by subpoena, reveal that Shah made calls to the same offshore banks and the same mailbox rental business at around the same time such calls were made from a telephone number known to belong to the perpetrator.

10. The perpetrator of the Scheme is known to have used public wireless Internet connections at various Starbucks coffee shops in furtherance of the Scheme. Within the past two days, Shah has been observed driving to a Starbucks coffee shop where he parks his car immediately outside the shop and, remaining in his car, uses a laptop computer for long periods of time.

11. Several Internet transactions in furtherance of the Scheme have been conducted from a computer or device using Internet Protocol (IP) address 76.166.172.221. At all relevant times, that IP address was assigned to an Internet Subscriber (the "Known Internet Subscriber") who lives near Shah's residence. The distance between the residences of the Known Internet Subscriber and the Shah is so short that a computer or device in Shah's residence could access a wireless Internet connection belonging to the Known Internet Subscriber.

#### **The Extortion Letters and USPS Click-N-Ship**

12. In June and July 2012, law enforcement learned of four other extortion demand letters substantially the same as the one received by Mr. Cline. These letters were sent to persons identified herein as Individual 1, a Connecticut resident and co-founder of a film studio; Individual 2, an Illinois resident and co-founder and chairman of an Internet company; Individual 3, a Florida resident and founder of an oil and gas company, and Individual 4, a Texas resident and the child of a late founder of another oil and gas company. Each of these letters contained a

threat to kill named members of the recipient's family unless a large sum of money was wired to an offshore bank account. The letters were worded substantially identically except for information specific to each victim. These extortion letters were mailed using the USPS from Los Angeles, California, to each individual's residence in the above-listed states.

13. Each of these extortion letters was mailed using a USPS service called Click-N-Ship (CNS). CNS, available through the USPS website, allows USPS customers to purchase and print their own postage labels using a personal computer and printer. After printing a CNS label, a customer affixes it to the envelope or other packaging to be delivered and then deposits the package into the mail stream via ordinary means, for example, in a curbside mailbox. CNS transactions are paid for using a credit or debit card, or through PayPal, an Internet payments service.

#### **The Prepaid Debit Cards**

14. The Scheme has made use of several prepaid debit cards. These are cards that look and function like typical credit or debit cards but are sold off the shelf in retail stores. At the time a prepaid debit card is purchased, the purchaser pays a sum of money that is credited to the card and can later be spent using the card. Because of this capability, prepaid debit cards are often given as gifts in lieu of cash. After purchase, the holder of a prepaid debit card activates it by telephone or by Internet, providing a name, address, and telephone number to be associated with the card.

15. The CNS postage for the letters mailed to Individual 1 and Mr. Cline was purchased on June 9, 2012, and June 14, 2012, respectively, using a prepaid MasterCard issued by MetaBank, a federally chartered bank headquartered in Iowa (the "MetaBank Card").

16. USPS records show that a different prepaid credit card was used to create an initial draft of the mailing label to Individual 1 that ultimately was not sent ("Draft Label 1").<sup>1</sup> That transaction was paid for with a prepaid Visa card issued by Synovus Financial Corp. ("Synovus").

17. According to information obtained from Synovus, this card (the "First Synovus Card") was purchased June 6, 2012, at Rite-Aid store #5446, located at 1130 North La Brea Avenue, West Hollywood, California. This Rite-Aid store is located at the corner of La Brea Avenue and Santa Monica Boulevard, on the same street as the Shah's residence and less than a mile away from it.

18. On June 25, 2012, a second letter was sent to Mr. Cline containing wiring instructions for a bank in Cyprus, along with a copy of the extortion letter. This second letter was mailed using CNS postage paid for with a different prepaid Visa card issued by Synovus (the "Second Synovus Card"). According to information from Synovus, the Second Synovus Card was purchased June 25, 2012 at Rite Aid #5446, the same place the First Synovus Card was purchased.

19. The letters mailed to Individuals 2-4 were mailed using postage purchased July 9, 2012, through CNS. These three purchases were made using a PayPal account, which in turn was linked to a prepaid American Express card (the "AmEx Card"). According to information provided by American Express, the AmEx Card was purchased July 9, 2012, at a Gelson's Market at 8330 West Santa Monica Boulevard, West Hollywood, California, slightly more than two miles from the Known Subject's residence, also on Santa Monica Boulevard.

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<sup>1</sup> USPS records reflect that for the letters to Individuals 1 and 3, multiple drafts of CNS mailing labels were prepared before a final version was selected. The unused drafts experiment with various combinations of billing names and addresses and return names and addresses.

### **The Rented Mailbox and the Fake ID**

20. According to records provided by MetaBank, the MetaBank Card was used on May 21, 2012, to make a purchase of \$101.50 at Wilshire Mailbox. Wilshire Mailbox is a mailbox rental business located at 5042 Wilshire Boulevard, Los Angeles, California. According to Wilshire Mailbox, the MetaBank Card was used on May 21, 2012 to rent mailbox #560 at Wilshire Mailbox. The person renting the mailbox came to Wilshire Mailbox in person and provided a California driver's license bearing the name Ray Amin, the address 2003 La Brea Terrace, West Hollywood, California, and the date of birth July 12, 1980. According to records of the California Department of Motor Vehicles (DMV), no driver's license bearing that name, address, and birthdate has ever been issued by the California DMV. The driver's license used to rent mailbox #560 at Wilshire Mailbox is referred to herein as the Fake ID.

21. On May 22, 2012, local law enforcement in West Hollywood, California, responded to a call for police assistance at 7711 Santa Monica Boulevard, West Hollywood, California. That address is the residence of Shah. After arriving at that address, law enforcement asked the Known Subject for identification. Shah produced an Illinois driver's license from his wallet, bearing Shah's true name, true date of birth of July 15, 1987, and an address at which Shah previously resided: 236 Woburn Lane, Schaumburg, Illinois.

22. When Shah produced the Illinois driver's license, the law enforcement officer present noticed another driver's license still inside Shah's wallet. The officer asked to see the second driver's license.

23. This second driver's license was the Fake ID: a California driver's license bearing the name Ray Amin, the date of birth July 12, 1980, and the address 2003 La Brea Terrace, Los Angeles, California.

24. The officer who observed the Fake ID in Shah's possession has reviewed a photo of Shah from his Illinois' driver's license and confirmed that Shah is the individual who was in possession of the Fake ID that was used to rent mailbox #560 at Wilshire Mailbox.

#### **The Store Security Video**

25. Law enforcement has obtained store security video that shows a person who appears to be Shah purchasing three of the prepaid debit cards used in the Scheme. According to information provided by Rite-Aid Corp., the First Synovus Card was purchased at Rite-Aid #5446 at approximately 9:43 a.m. PDT on June 6, 2012. Security video footage from Rite Aid #5446 shows the purchase of the First Synovus Card at that time. Law enforcement has compared the video with a photo of Shah from his Illinois driver's license and photos of Shah from his public available Facebook page, and confirmed that the person purchasing the First Synovus Card appears to be Shah.

26. According to information provided by Rite-Aid Corp., the Second Synovus Card was purchased at Rite-Aid #5446 at approximately 9:45 a.m. PDT on June 25, 2012. Security video footage from Rite Aid #5446 shows the purchase of the Second Synovus Card at that time. Law enforcement has compared the video with a photo of Shah from his Illinois driver's license and photos of Shah from his publicly available Facebook page, and confirmed that the person purchasing the Second Synovus Card appears to be Shah.

27. According to information provided by Gelson's Markets, the AmEx Card was purchased at approximately 11:43 a.m. PDT on July 9, 2012. Law enforcement has compared video from Gelson's Market from the time of the purchase with a photo of Shah from his Illinois driver's license and photos of Shah from his publicly available Facebook page, and confirmed that



Shah left the checkout area of the Gelson's Market just after the time the AmEx Card was purchased.

#### **Other Uses of the False Information from the Fake Driver's License**

28. The false information from the Fake ID that was in the Known Subject's possession has been used in other aspects of the Scheme. When the MetaBank Card was activated on or around May 20, 2012 (two days before West Hollywood law enforcement found the Fake ID in Shah's possession), the person activating it provided the name Ray Amin; the birthdate July 12, 1980; and the address 2003 La Brea Terrace, Los Angeles, California.

29. The phone number provided when the MetaBank Card was activated was (323) 570-1108. That telephone number is a Google Voice number. Google Voice is an Internet-based telephone service offered by Google Inc. Every Google Voice number is associated with a Google account. The Google account for the number (323) 570-1108 was created using the name Ray Amin, that is, the name on the Fake ID observed in the possession of Vivek Shah. The email address associated with this Google account is [raygamin@gmail.com](mailto:raygamin@gmail.com).

30. The address 2003 La Brea Terrace, West Hollywood, California, was used as the billing address and return address for the mailing to Individual 1. It was also used as the billing address for at least two mailings to offshore banks paid for with the MetaBank Card, and for several draft mailing labels to Individual 3 that were created in CNS using the MetaBank Card but ultimately not used.

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#### **Uses of the Rented Mailbox Address in the Scheme**

31. The address of the rented mailbox at Wilshire Mailbox is 5042 Wilshire Boulevard #560. That address was used as the return address on Draft Label 1, discussed above. It also was used as the return address on several CNS postage labels created on June 5 and 6, 2012, for

mailings to offshore banks, discussed further below. These labels for mailings to offshore banks were created using the same CNS account that created Draft Label 1.

32. The rented mailbox address also was provided as the billing address for several draft CNS mailing labels to Individual 3, created on June 25 and 26, 2012, using the MetaBank Card. The same address was provided to create the PayPal account used on July 9, 2012, to create CNS mailing labels to Individuals 2-4.

#### **Telephone Calls by Shah in Furtherance of the Scheme**

33. Records show that Shah made calls to Wilshire Mailbox and to offshore banks around the same time calls to the same entities were made from the Google Voice number registered to the alias Ray Amin.

34. Google records for the Google Voice number for Ray Amin show that on June 19, 2012, beginning at approximately 9:14 a.m. PDT, the user of that number made eight calls in short succession to various phone numbers of the Antigua Overseas Bank. USPS records show that on June 6, 2012, the Second Synovus Card was used for a CNS mailing to the Antigua Overseas Bank. That mailing was one of several mailings to offshore banks that are consistent with an effort to establish an offshore bank account for purposes of the Scheme. Google records for Shah show that on June 22, 2012, beginning at approximately 9:13 a.m. PDT, Shah made a series of nine calls to various phone numbers of the Antigua Overseas Bank.

35. Records obtained by law enforcement show a similar pattern for the Bank of Valletta in Malta. On June 5, 2012, using the Metabank Card, CNS postage was purchased for a mailing to the Bank of Valletta. On June 18, 2012, at approximately 11:28 p.m. PDT, the Google Voice number registered under Ray Amin called a number belonging to the Bank of Valletta. On

June 22, 2012, just after midnight PDT, Google records show that Shah made a series of calls in short succession to the same number belonging to the Bank of Valletta.

36. Records obtained by law enforcement show yet another similar pattern for the Mauritius Commercial Bank in Mauritius. On June 6, 2012, the Second Synovus Card was used to purchase CNS postage for a mailing to the Mauritius Commercial Bank. Google records show that on June 18, 2012, at approximately 11:36 p.m. PDT (just after the call to the Bank of Valletta), the Google Voice number registered to Ray Amin was used to make a series of six calls to the Mauritius Commercial Bank in rapid succession. Google records also show that on July 12, 2012, just after midnight PDT, Shah made a series of five calls to the Mauritius Commercial Bank.

37. Calls to Wilshire Mailbox, where mailbox #560 was rented using the Metabank Card and the Fake ID, were made by both Shah and the number registered to Ray Amin. According to Google records, Shah called Wilshire Mailbox on Friday, May, 18, 2012, and again on Saturday, May 19, 2012. On the following Monday, as explained above, May 21, 2012, mailbox #560 at Wilshire Mailbox was rented by a person with the same Fake ID (bearing the name Ray Amin) discovered in Shah's possession the day after. On June 6, 2012, Wilshire Mailbox was called from the number registered to Ray Amin.

38. Google records also show that Shah called at least four other mailbox rental businesses shortly before mailbox #560 at Wilshire Mailbox was rented. On May 16, 2012, Shah called Mailboxes Rental Santa Monica. On May 18, 2012, the same day he first called Wilshire Mailbox, Shah also places two calls to a business named Mailbox Depot and one call to LA Mailboxes N More. On May 20, 2012, Shah called the Mail Shoppe, another mailbox rental business.

**Internet Transmissions from IP Address 76.166.172.221**

39. I know from my training and from conversations with other law enforcement officers that an IP address is a numeric identifier assigned to a computer or other device connected to the Internet. This assignment may be temporary or permanent.

40. The CNS transactions for the mailings to Mr. Cline and Individual 1 were conducted from a computer or other device that accessed the Internet through IP address 76.166.172.221. Those transactions occurred on June 9 and 14, 2012, respectively. The same IP address was used on June 5 and 6, 2012, to make the CNS postage labels for mailings to offshore banks that are discussed above.

41. The same IP address, 76.166.172.221, was also used at least 16 times between June 5, 2012, and June 19, 2012, to access a Google account associated with the email address rohanpgill@gmail.com, which was provided as the email address for one of the CNS accounts used in the Scheme.

42. The IP address 76.166.172.221 belongs to Time Warner Cable. Between at least June 5 and June 19, 2012, it was assigned to a Time Warner Cable internet subscriber referred to herein as the Known Internet Subscriber, residing in a known apartment at 1116 North Spaulding Avenue, West Hollywood, California. The residence of the Known Internet Subscriber is approximately 200 feet from the Known Target's residence – close enough for a computer or other device in the Known Target's residence to access a wireless Internet connection at the Known Internet Subscriber's residence. Law enforcement has determined that as of late July 2012, one and only one unsecured wireless Internet connection was available in the area of both Shah's residence and the Known Internet Subscriber's residence.

### The Starbucks Internet Connections

43. The Google account for rohanpgill@gmail.com, discussed above, has been accessed several times through IP addresses assigned to public wireless connections at Starbucks coffee shops near Shah's residence. These wireless Internet connections are intended to allow Starbucks customers to use the Internet at Starbucks shops and are available for anyone within range of their wireless signal to use for free.

44. On May 27, 2012, at or around 12:30 a.m. PDT, the rohanpgill Google account was accessed from Starbucks #5402 at 7057 West Sunset Boulevard, Los Angeles, California, slightly more than a mile from Shah's residence. This activity is notable in part because it occurred after Starbucks #5402 was closed for the day, indicating that the person using the Starbucks Internet connection did so by picking up a wireless Internet signal from outside the shop. On June 11, 2012, at or around 5:45 p.m. PDT, the same Google account was accessed from Starbucks #5775 at 6743 Hollywood Boulevard, Los Angeles, California, approximately two miles from Shah's residence. On June 13, 2012, at or around 11:51 a.m. PDT, the same Google account was accessed from Starbucks #5758 at 257 South La Cienega Boulevard, Beverly Hills, California, approximately three miles from Shah's residence. On June 15, 2012, at or around 9:15 a.m. PDT, the same Google account was accessed from Starbucks #5402 at the address stated above, slightly more than a mile from Shah's residence.

45. A draft CNS postage labels created for Individual 3 on June 25, 2012, at or around 12:35 p.m. PDT, was created using an IP address assigned at that time to Starbucks #5402, at the address stated above, slightly more than a mile from Shah's residence. The name and address provided for billing purposes for this transaction was Rohan Gill, and the billing address provided was the address of the rented box at Wilshire Mailbox.

46. Within the past 48 hours, law enforcement has observed Shah, on multiple occasions, drive to a Starbucks shop, park near the shop, and while remaining in his parked vehicle, use a laptop computer. In each instance, this activity has continued for at least approximately 30 minutes.

#### **Current Location and Recent Activity**

47. According to airline records obtained by law enforcement, Shah flew from Burbank, California, to Chicago, Illinois, on August 1, 2012. Records obtained from Google reflect that up to and including August 1, 2012, Shah frequently accessed his Google account from IP address 75.85.21.91. According to records obtained from Time Warner Cable, that IP address is and has been assigned to a cable modem at Shah's residence, 7711 Santa Monica Boulevard, West Hollywood, California. Beginning on August 2, 2012, however, and continuing through at least August 7, 2012, Shah has accessed his Google account through IP address 98.215.198.162. According to records obtained from Comcast, the cable company to which this latter IP address belongs, it is and has been assigned to MAHESH Shah of 236 Woburn Lane, Schaumburg, Illinois. MAHESH Shah, according to public records obtained by law enforcement, is the father of Vivek Shah. The Google records thus reveal that since flying to Illinois on August 1, 2012, Vivek Shah has frequently accessed his Google account from his father's home.

48. Within the past 48 hours, law enforcement has observed Vivek Shah coming and going from his father's home at 236 Woburn Lane, Schaumburg, Illinois.

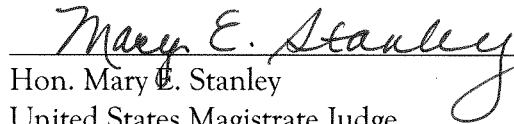
49. Google Voice records for Vivek Shah reveal that Vivek Shah placed four calls to a gun range in Los Angeles on August 6 and 7, 2012. Law enforcement has approached employees at that gun range and learned that Vivek Shah is scheduled for training in handgun shooting after his scheduled return flight to the Los Angeles area on August 12, 2012.

WHEREFORE, your affiant respectfully requests an arrest warrant be issued for Vivek Shah.

Further your affiant sayeth naught.

  
Joshua D. Mehall, Postal Inspector  
United States Postal Inspection Service

Sworn to before me, and subscribed in my presence, this 10th day of August, 2012.

  
Hon. Mary E. Stanley  
United States Magistrate Judge